IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI. JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.33551 OF 1997

DATED: 15-3-2007

BETWEEN:

Velaga Satyanarayana

.....Petitioner

AND

The Agency Divisional Officer,
Kothagudem, Khammam District
and another

.....Respondents

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THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No. 33551 OF 1997

ORDER:

This present writ petition has been instituted calling in question the correctness of an order passed by the 1st respondent – Agency Divisional Officer, Kothagudem, Khammam District in Interlocutory Application No.7 of 1997 in O.S No. 3 of 1997 on 6-10-1997.

There is no stay granted by this Court and consequently, the suit O.S No. 3 of 1997 could have possibly been disposed of by now. Learned counsel for the writ petitioner also is not in a position to report the developments that have taken place in the matter. Interlocutory Application No. 7 of 1997 itself has been instituted seeking grant of temporary injunction to restrain the respondent/defendant and his men from interfering with the possession and enjoyment of the petitioner/plaintiff over the petition schedule property pending disposal of the suit. If there is no injunction that has been granted and subsisting for nearly ten long years, it is not proper to grant such an injunction at this stage. I, therefore, do not find any justifiable ground for grant of the injunction as prayer for in Interlocutory Application No. 7 of 1997 at this stage. The only direction that can perhaps be issued is that if the suit O.S No. 3 of 1997 said to be instituted on the file of Agency Divisional Officer is still pending, the same be taken up for expeditious disposal and be decided within a period of three months from the date of receipt of this order.

With this, the writ petition stands dismissed. No costs.

(NOOTY RAMAMOHANA RAO, J)

Dated: 15-3-2007
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